

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BARRY BERGER,

Plaintiff,

vs.

CIGNA HEALTH AND LIFE INSURANCE CO.,

Defendant.

No. 2:18-CV-00120-JS

FILED

FEB 23 2018

KATE BARKMAN, Clerk
By _____ Dep. Clerk

STIPULATION TO SUBSTITUTE DEFENDANT

The parties, by and through their respective counsel, hereby stipulate to substitute Life Insurance Company of North America ("LINA") as the defendant in this case, as follows:

1. Plaintiff filed his Complaint under the Employee Insurance Retirement Security Act, 29 U.S.C. § 1001 *et seq.* ("ERISA"), against Defendant Cigna Health and Life Insurance Co.
2. Cigna Health and Life Insurance Co. had (and has) no role with respect to Plaintiff's claim in this case, as LINA issued the policy of insurance relevant to this case.
3. The parties agree to substitute LINA as defendant for Cigna Health and Life Insurance Co. and that Cigna Health and Life Insurance Co. is dismissed from this action. LINA would therefore be responsible for any judgment Plaintiff obtained in his favor.
4. The parties agree that LINA shall respond to the Complaint within twenty-one days after the Court signs and enters this Stipulation.

Respectfully submitted,

/s/ Larissa K. Staskiw (with permission)

Brandon A. Swartz
Larissa K. Staszkiw
Swartz Culleton PC
547 East Washington Avenue
Newtown, Pennsylvania 18940
(215) 550-6553
bswartz@swartzculleton.com
lstaszkiw@swartzculleton.com
Attorneys for Plaintiff

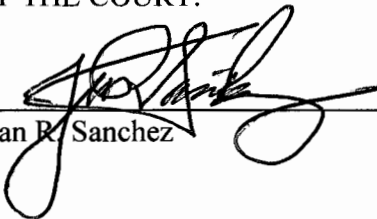
/s/ Caitlin P. Strauss

James A. Keller
Caitlin P. Strauss
Saul Ewing Arnstein & Lehr LLP
1500 Market Street, 38th Floor
Philadelphia, Pennsylvania 19102
215-972-7153
James.Keller@saul.com
Caitlin.Strauss@saul.com
Attorneys for Defendant

February 23, 2018

SO ORDERED.

BY THE COURT:



Juan R. Sanchez